

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARKUS A OVERLY,

Plaintiff,

v.

ERIC K SHINSEKI,

Defendant.

CASE NO. C11-5908 RBL

ORDER

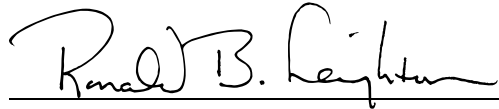
THIS MATTER is before the Court on Plaintiff's application to proceed *in forma pauperis* under 28 U.S.C. § 1915(a). The Court has broad discretion in determining an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963).

As of the date of the filing of this case, Plaintiff indicates that he is employed at a salary of \$1,800.00 per month and receives a VA disability of \$1,400 per month.

It is apparent that Plaintiff is able to pay the filing fee in this case, and should be required to do so. Accordingly, the Court will **DENY** Plaintiff's application to proceed *in forma*

1 *pauperis*. Plaintiff shall have 30 days from the date of this order to pay the required filing fee or
2 this matter will be dismissed without further notice.

3 Dated this 4th day of November, 2011.

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6 RONALD B. LEIGHTON
7 UNITED STATES DISTRICT JUDGE
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